

Pursuant to Federal Rule of Civil Procedure Rule 41(a)(2), Plaintiff Securities and Exchange Commission (the “Commission”) respectfully submits for consideration, and entry of an order approving same, the following Stipulation for Order of Dismissal With Prejudice as to Relief Defendant David Romanow. Granting the relief the Commission seeks by this stipulation, together with the stipulation for order of dismissal with prejudice as to Relief Defendants Karen Bowie, France Michaud, John J. Kim, and Pegasus Holdings Group, Inc., filed concurrently herewith, would result in the final adjudication of all remaining claims in this action, and conclude the case.

RECITALS

1. On August 25, 2009, the Commission filed a Complaint against Titan Wealth Management, LLC, et al., in the United States District Court for the Eastern District of Texas, Sherman Division, which was assigned Civil Action No. 4:09-CV-418 (the “Lawsuit”). The Commission named David Romanow (“Romanow”) as a Relief Defendant, solely for the equitable purpose of recovering funds in his possession traceable to Defendants’ fraud.
2. On January 27, 2010 the Court entered an Order Appointing Receiver (Doc. No. 64), which appointed Charlene C. Koonce as Receiver and directed her to, among other things, take and have possession of all assets attributable to investor funds provided to Defendants Titan Wealth Management, LLC or Point West Partners, LLC (“Receivership Assets”).
3. On December 23, 2010, the Receiver filed her closing petition (Petition No. 8, Doc. No. 125), in which she reported her recovery of Receivership Assets from Relief Defendants, among others, and sought an order approving her final report, investor claims and the distribution of Receivership Assets.
4. On January 24, 2011, the Court entered an order approving the Receiver’s final report and authorizing the distribution of Receivership Assets (Doc. No. 135). Under the order, the Receivership closed upon the filing by the Receiver of a Closing Declaration, which she filed on March 31, 2011. (Doc. No. 139)
5. As noted in the Receiver’s final report, Romanow declared bankruptcy in Canada. The Commission conferred with the trustee in charge of Romanow’s bankruptcy, and has determined that Romanow no longer possesses funds traceable to Defendants’ fraud.

Consequently, the Commission believes that its claim against Romanow is unlikely to yield a recovery, and hereby elects to dismiss him from the Lawsuit with prejudice.

STIPULATION

Based upon the foregoing, the Commission hereby stipulates to dismissal with prejudice of David Romanow from the Lawsuit, and request that the Court enter an order approving same.

Dated: September 11, 2012

Respectfully submitted,

/s/Jason C. Rodgers

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CERTIFICATE OF SERVICE

I certify that on September 11, 2012, I served Defendants Titan Wealth Management, LLC, Point West Partners, LLC, and Thomas Lester Irby II with the foregoing document via certified mail, return receipt requested, to:

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***Attorney for Defendants Titan Wealth
Management, Point West Partners, LLC,
and Thomas Lester Irby, II***

I certify that on September 11, 2012, I electronically filed the foregoing document with the clerk of the U.S. District Court, Eastern District of Texas, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the following attorneys of record:

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The following were served on September 11, 2012, via first class mail:

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s/ Jason C. Rodgers
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